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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

CHOWDHURY, SUMAIYA A

ART UNIT PAPER NUMBER

2611

DATE MAILED: 06/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/895,755

Applicant(s)

UCHIDA ET AL.

Examiner

Sumaiya A. Chowdhury

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>6/25/04, 11/08/04, 12/02/04</u> . | 6) <input type="checkbox"/> Other: ____  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Proehl.

Considering claim 1, Proehl discloses a reservation information setting apparatus (col. 6, line 61, col. 7, line 2) comprising of schedule table forming means for controlling the display of a schedule table that includes calendar information (figure 9, col. 7, lines 5-13);

date selection accepting means for accepting a selection input of a target date in said schedule table (A subscriber is provided with means to select a day on the TV planner calendar by using a remote controller to control the cursor to view selected broadcast program(s). col. 8, lines 25-30);

schedule information accepting means for accepting an input of schedule information for said target date (The user is provided with means to edit selected broadcasted activity through the daily view TV planner. As the system allows the user to edit broadcast activity, the system has schedule information accepting means. - col. 7, lines 44-47, col. 8, lines 59-60);

and reservation information accepting means for accepting an input of reservation information for a broadcast program on said target date (The subscriber reserves a broadcast program through the TV planner. col 7, lines 34-40).

Considering claim 2, Proehl discloses an apparatus comprising of display instruction accepting means for accepting an input of an instruction to display a broadcast program guide corresponding to said target date if said selection input of said target date is accepted by said date selection accepting means (The schedule of the broadcast activity corresponding to the date selected by the subscriber is displayed on the display screen. Figure 10, col. 8, lines 25-30);

and broadcast program guide forming means for forming a signal for displaying said broadcast program guide if said input of said instruction to display said broadcast program guide is accepted by said display instruction accepting means (The transport IC receives the data stream from the satellite which includes EPG data. The MPEG decoder decides the video signal received from the transport IC. 24 - figure 2, col.4, lines 7-12 & lines 33-37, col. 8, lines 25-30);

wherein said reservation information accepting means accepts said input of said reservation information through said broadcast program guide (The subscriber is provided with means to reserve desired programs through the TV planner. col. 8, lines 25-30 & lines 59-60).

Considering claim 3, Proehl discloses an apparatus wherein said displayed schedule table includes said schedule information for said target date (col. 7, lines 28-37) and said reservation information for said broadcast program on said target date (col. 7, lines 46-51).

Considering claim 4, Proehl discloses an apparatus wherein said broadcast program guide is based on the program guide information included in a broadcast signal (col. 4, lines 8-12 & lines 33-38).

As for claim 5, it is an apparatus claim corresponding to the apparatus of claim 1, and is therefore rejected for the similar reasons set forth in the rejection of claim 1. Claim 5 additionally calls for the following:

- reservation information including said target date and a broadcast time on said target date (Proehl discloses that the date and time corresponding to the reserved broadcast program are included in the TV planner (col. 7, lines 46-51).);

- reservation information storing means for storing said reservation information for said broadcast program on said target date (Proehl discloses that the TV planner stores all the scheduled broadcast activity (col. 7, lines 5-10). Reservation information for a broadcast program could be scheduled by clicking on the timer/record button in the TV planner (col. 8, lines 6-10));

- viewing control means for controlling the display of said broadcast program upon arrival of said target date and said broadcast time in said stored reservation information

(Proehl discloses that upon arrival of the reserved broadcast program, the system automatically tunes to the program. By using the buttons on the remote controller, the user has different options to select to display. The buttons include a direction key for designating a pointer direction such as north, south, east, and west, an EPG key, a Favorite key, a select key, a menu key, an exit key, a ten-key numeric keypad and an Enter key. – 410 – figure 4, col. 8, lines 5-10, col. 5, lines 30-36).

Claim 6 contains the limitations of claims 1 and 2 and is analyzed as previously discussed with respect to those claims. Claim 6 additionally calls for the following:

- an information signal storing means for storing an information signal (The VCR is used to store broadcast content selected for recording or schedule information is stored - col. 6, lines 62-67, col. 7, lines 1-2, col. 7, lines 5-10);

- recording control means for controlling the recording of said broadcast program in said information signal storing means upon arrival of said target date and said broadcast time in said stored reservation information (Upon the arrival of the time and date of the broadcast program stored in the TV planner, the VCR starts recording the broadcasted program - col. 6, lines 61-67, col. 7, lines 1-2, col. 7, lines 5-11).

Claim 7 is a method claim corresponding to the apparatus of claim 5, and is therefore rejected for the similar reasons set forth in the rejection of claim 5.

Considering claim 8, Proehl discloses a method comprising of accepting an input of an instruction to display a broadcast program guide corresponding to the target date if the selection input of the target date is accepted (col. 8, lines 25-30);

and displaying the broadcast program guide if the input of the instruction to display the broadcast program guide is accepted (If the guide is displayed, it is acknowledged that the input has been accepted. col. 8, lines 25-30);

wherein in said reservation information accepting step, the reservation information is accepted through the displayed broadcast program guide (The reservation information is accepted through the TV planner. col. 7, lines 34-40).

Considering claim 9, Proehl discloses a method wherein the step of displaying the schedule table includes displaying the schedule table with the schedule information for the target date and the reservation information for the broadcast program on the target date (The TV planner allows the subscriber to view which broadcast programs one has reserved for selected dates. The TV planner includes additional information corresponding to the selected reserved broadcast programs such as program title, channel number, and time. col. 7, lines 5-13 & lines 34-41).

Considering claim 10, Proehl discloses a method wherein the broadcast program guide is included in a broadcast signal (col. 4, lines 1-12).

Considering claim 11, Proehl discloses a method comprising of storing the reservation information for the broadcast program on the target date, the reservation information including the target date and a broadcast time on the target date (col. 7, lines 42-51);

and controlling the display of the broadcast program upon arrival of the target date and the broadcast time in the stored reservation information (Upon arrival of the reserved program, the timer automatically tunes to the selected broadcast program. By using the buttons on the remote controller, the user has different options to select to display. The buttons include a direction key for designating a pointer direction such as north, south, east, and west, an EPG key, a Favorite key, a select key, a menu key, an exit key, a ten-key numeric keypad and an Enter key. – 410 – figure 4, col. 5, lines 30-36, col. 8, lines 7-10).

Considering claim 12, Proehl discloses a method comprising of storing the reservation information for the broadcast program on the target date, the reservation information including the target date and broadcast time on the target date (col. 7, lines 46-51); and recording the broadcast program upon arrival of the target date and the broadcast time in the stored reservation information (The combination of the broadcast system EPG and VCR coupled to the broadcast system allows automatic recording of future programming. The subscriber schedules the recording of a future program by clicking on the timer/record button (912-figure 9). col. 6, lines 63-67, col. 7, lines 1-2, col. 8, lines 7-10).




***Conclusion***

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sumaiya A. Chowdhury whose telephone number is (571) 272-8567. The examiner can normally be reached on Mon-Fri, 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Grant can be reached on (571) 272-7292. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SAC



CHRIS GRANT  
PRIMARY EXAMINER